

House Utilities, Banking & Small Business Subcommittee  
Amendment No. 1  
House Commerce Committee

FILED

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

Amendment No. 1 to HB2606

Curtiss  
Signature of Sponsor

AMEND Senate Bill No. 2896

House Bill No. 2606\*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 5, Part 3, is amended by adding the following language as a new, appropriately designated section:

Section \_\_\_\_.

(a) As used in this section, the term “normal operating hours” means the hours the business office of a funeral establishment is open and also includes any additional hours the funeral establishment is open for a person to make arrangements for a funeral service or for viewing hours of a dead human body or the remains of a dead human body.

(b)

(1) A funeral director or a person authorized by the funeral director to act for the funeral director shall surrender the custody of a dead human body which is at the funeral establishment to the person lawfully entitled to the custody of the body within four (4) hours of the time an express written order of such person is received at the funeral establishment during the normal operating hours of the funeral establishment.

(2) The order shall be deemed to be received at the funeral establishment at the time it is delivered to the funeral establishment. Such delivery may be by personal delivery, certified mail, any delivery service that provides proof of delivery or via electronic mail sent to the funeral establishment.

(3) If a funeral director or a person authorized by the funeral director to act for the funeral director refuses to comply with the provisions of subdivision (1), upon the filing of a complaint with the board of funeral directors and embalmers or on its own initiative, the board shall provide the opportunity for a hearing, and if a hearing is requested, conduct a hearing in accordance with the uniform administrative procedures act, title 4, chapter 5 to determine whether a violation of subdivision (1) has occurred. If the board finds that a violation of subdivision (1) has occurred, the board shall suspend the license of the funeral director and the funeral establishment for a minimum of thirty (30) days.

(c) The board shall inform each of its licensees of the provisions of this act in the manner deemed appropriate by the board.

SECTION 2. For purposes of providing information to its licensees, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, including enforcement of this act, this act shall take effect July 1, 2008, the public welfare requiring it.